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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	No.
)	
Plaintiff,)	<u>COUNT 1:</u>
)	THEFT OF GOVERNMENT FUNDS
vs.)	Vio. of 18 U.S.C. § 641
)	
JOANN POLSTON,)	<u>COUNT 2:</u>
)	EMBEZZLEMENT AND THEFT FROM
Defendant.)	INDIAN TRIBAL ORGANIZATION
)	Vio. of 18 U.S.C. § 1163
)	
)	
)	

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this indictment:

1. Healy Lake Village, also known as the Mendas Cha-ag Tribe, was a federally recognized Indian tribal organization listed in the Federal Register.

2. Since approximately 2006 through the present, Joann Polston (“Polston”) has been the First Chief of the Mendas Cha-Ag Tribe, also known as the Healy Lake Tribe, Healy Lake Band, and Healy Lake Village (“Tribe”). The role of First Chief was not a paid position.

3. Between at least 2009 through at least 2012, Polston was also the Tribe’s Tribal Administrator. As the Tribal Administrator, her duties included performing clerical functions including payroll tax reporting, correspondence, grant reporting, filing, and monitoring tribal budgets. She was responsible for all accounts receivable, accounts payable and payroll functions. For each of the years 2009 through 2012, Polston’s annual salary was between approximately \$36,000 to \$43,000. In addition, for each of the years 2009 through 2012, Polson also paid herself other payments between approximately \$49,000 to \$56,000 from the Tribe’s accounts.

4. In her dual roles as First Chief and Tribal Administrator, Polston bypassed internal controls related to the handling of the Tribe’s funds. For example, Polston frequently wrote checks to herself from the Tribe’s accounts without a signature from any other member of the Traditional Council and directly transferred money to her personal bank account from the Tribe’s accounts. For many of those transactions, there are no receipts or paperwork indicating that there was a legitimate purpose for the payments to Polston.

COUNT 1

THEFT OF GOVERNMENT FUNDS

5. Paragraphs 1-4 are realleged herein.

6. Beginning on or about June 29, 2009, and continuing through on or about January 24, 2012, in the District of Alaska and elsewhere, the defendant, JOANN POLSTON, did knowingly embezzle, steal, and purloin money of the Bureau of Indian Affairs, a department and agency of the United States, of a value in excess of \$1,000, namely, per diem payments in the approximate amount of at least \$4,500 to which she was not entitled because she had previously received per diem payments from the Tribe's bank accounts for the same trips.

All of which is in violation of Title 18, United States Code, Section 641.

COUNT 2

EMBEZZLEMENT AND THEFT FROM INDIAN TRIBAL ORGANIZATION

7. Paragraphs 1-4 are realleged herein.

8. Beginning at a time unknown, but at least by on or about August 29, 2009, and continuing through at least on or about May 11, 2012, in the District of Alaska and elsewhere, the defendant, JOANN POLSTON, did knowingly embezzle, steal, convert to her own use, and willfully misapply, money and funds in excess of \$1,000 belonging to an Indian tribal organization: to wit, POLSTON wrote herself checks and transferred money from the Tribe's bank accounts to her personal bank account in the approximate amount of at least \$15,000 to which she was not entitled.

All of which is in violation of Title 18, United States Code, Section 1163.

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ Yvonne Lamoureux
YVONNE LAMOUREUX
Assistant U.S. Attorney
United States of America

s/ Karen L. Loeffler
KAREN L. LOEFFLER
United States Attorney
United States of America

DATE: 5/22/2014